



TOWN COUNCIL

MEETING MINUTES

Tuesday, October 1, 2024- 7:00 P.M.

1500 Palomino Avenue,

Bar Nunn, Wyoming

- 1) **Roll Call:** Mayor Peter Boyer called the meeting to order on Tuesday, October 1, 2024, at 7:00 p.m. The roll was called which determined the presence of a quorum.  
**Present:** Mayor, Peter Boyer. Councilmembers: Steven Clark, Tyler Martin, Tim Ficken, and Frank Schwarzrock
- 2) **Pledge of Allegiance:** The Town Council and all those present stood in service to the United States Flag and pledged allegiance to the United States of America.
- 3) **Minutes of September 17, 2024:** Moved by Tim Ficken, seconded by Frank Schwarzrock, and carried without dissent to approve the minutes for September 17, 2024. Tyler Martin was recused due to his absence.
- 4) **Payables List for October 1<sup>st</sup>, 2024:** Moved by Tim Ficken and seconded by Steven Clark. The motion was carried without dissent to approve the payables list of October 1, 2024.
- 5) **Payable List for September 2024 & The 23-24 Year-to-Date Budget Report:**  
Checks #32541 – #32620, Direct Deposit #2753 – #2791, ACH #31011772, ACH #10791418 & ACH #63051338. Moved by Steven Clark, seconded by Tim Ficken, and carried without dissent to approve the Payables List for September 2024 & the 24-25 Year-to-Date Budget Report.
- 6) **Attorney's Report:** A written report was submitted to the mayor and council. Town Attorney, Patrick Holscher, was present for questions or comments from the council.  
-Attorney Holscher discussed the Dutchman Solar Farm. He informed the council they needed to determine if they were going to submit a request to the Industrial Siting Committee and how much they would request. With the Settler Project approving \$150k of economic impact funding to fund a police department partially, he suggested the council submit a request for more funding for the police department. He believed that would be a reasonable request since the Dutchman project's geological location is closer to the Casper metropolitan area and the project would impact the area. Attorney Holscher stated he believed they could safely request \$200,000. Moved by Steven Clark, seconded by Tim Ficken, and carried without dissent to have the town attorney submit a request to the Dutchman Solar Farm requesting \$200,000 in unmitigated funds for start-up costs for a police department.  
  
-Attorney Holscher reported the Wardwell mill levy was still being assessed in error. He reached out to the county attorney to address the matter, but neither he nor the clerk had seen a response.  
  
-The City of Casper has given a Sum Certain in regards to Metro Animal Control rather than their prior exhibits. Attorney Holscher stated that he was going to put in a Sum Certain for the town so that we know exactly what is being paid and no more. With Metro being an option on Casper's 6¢ tax, he made the council aware that the contract was written in such a way that Casper would expect a proportionate share from Bar Nunn if the 6¢ funded Metro. This would be a large, unbudgeted expense, so there would need to be negotiations on the contract terms. Attorney Holscher stated it would make sense to move towards a joint powers board rather than annual contracts.  
Councilman Clark requested clarification on how the 6¢ tax and the projects would be voted on. Attorney Holscher stated that Casper residents would be voting to approve the 6¢ tax, and they would be able to vote yes, no, or not at all on the eight proposed projects that the tax would fund. However, Bar Nunn will not get to vote on it, but it will ultimately affect Bar Nunn.
- 7) **Engineer's Report:** A written report was submitted. Town Engineer, Ray Catellier, PE was present for council questions or comments from the council.

-Mr. Catellier reported that the asphalt projects are well underway. He reported that there was one spot in the repairs on Salt Creek Highway in the northbound lane that Ramshorn would be coming back to fix.

-Mr. Catellier presented a color-coded map that displays the average water pressures throughout Bar Nunn. The map outlined the various zones so staff can reference what the expected pressures are for any residents with water pressure concerns. He noted that after flow testing, they determined every zone meets Department of Environmental Quality minimums. If a resident is experiencing low pressures, there may be other contributing factors, such as internal plumbing.

-Mr. Catellier also presented the council with a sheet outlining Zoning & Planning fee comparisons. He stated it was a resource for Zoning and Planning to reference at their October 17<sup>th</sup> meeting where they will be discussing fees. The comparison sheet utilized fees from surrounding municipalities. Mr. Catellier stated he would be attending the meeting so they can discuss the fees and why they exist as he can offer a perspective of what is involved when an application is made for things such as a preliminary plat.

-Visionary Broadband will be starting fiber installation throughout the Town of Bar Nunn. Mr. Catellier stated that they would be pulling a number of street-cut permits. After discussing what other municipalities have done, it was settled that Visionary would be assessed a fee of \$200 per street cut permit and a bond that is 5% of construction costs for the contractors that will be performing the street cutting. After consulting with another engineer, it was determined a bond would be wise because these projects are done quickly, and often the municipality is left responsible for any repairs that need to be completed as a result of the fiber installation. He stated Visionary Fiber had already been run to the elementary school, and by the looks of the permits, they could potentially serve every home in Bar Nunn. Councilman Clark inquired if the fiber could be utilized by other wireless companies or if it was exclusive to Visionary. Mr. Catellier stated it was exclusive to Visionary. Visionary is the first, and potentially the only provider to place fiber in Bar Nunn, but the other two companies in Casper May provide service in Bar Nunn eventually because of federal communication incentives that are available. Councilman Ficken inquired how long it would take Visionary to complete the installation. Mr. Catellier said approximately two and a half months. Mr. Catellier stated he would like to put the locations of the street cuts into the Geographic Information System in case there are issues with the repair work so he would know who was responsible.

-Mr. Catellier presented the council with four options for the Antelope Park playground equipment and rough pricing for each. He stated that he wanted the council to narrow down a few options before he started reaching out to vendors for more accurate pricing. The council commented that some of the options were large and asked if there would be room for larger equipment. Mr. Catellier stated that they had already considered expanding the playground area because currently, the equipment is too close together to accommodate the fall radius and make room for larger equipment. This equipment was meant to replace the older piece of equipment on the west side. Councilman Schwarzrock inquired if any of the options had swings because the council had previously discussed swings. Mr. Catellier stated that two of the options included swings. The council reviewed the options and requested that Mr. Catellier research two of the options to verify pricing with installation so they could make a more informed decision with the budget in mind.

8) **Zoning & Planning Report:** Zoning and Planning Chairman, Gary Geiger was present for questions or comments from the council. Mr. Geiger reported that Zoning and Planning held a meeting on September 19<sup>th</sup> to approve a site plan for a shed. He noted that it met all of the requirements for approval.

9) **Fire Department Report:** A written report was submitted. Fire Chief, Robert Hoover, was present for questions or comments from the council. Mayor Boyer inquired if the fire department had responded to any more large fires. Chief Hoover stated they recently responded to a large structure fire. Mayor Boyer then inquired if there had been a call for assistance with the wildland fires around the state. Chief Hoover stated they had been called, but there was no one they could send.

10) **Maintenance & Water Report:** A written report was submitted. Head of Public Works, Robert Hoover, was present for questions or comments from the council.

-Mr. Hoover informed the council that the weight room would need to be closed that Thursday for mirror installation. Equipment will need to be moved for the installation, so it was best to keep it closed during the process.

-WFI performed video logging of portions of the sewer system. He reported that the line looked good minus one small section of line west of Mustang that they had to bore through, but WFI confirmed as CEPI had previously discovered that the manholes were not in good shape. CEPI looked down through the manholes and WFI looked up through the manholes to provide two perspectives on the matter. Mr. Hoover stated there will have to be discussions during upcoming budget cycles to address some issues over time. Council Schwarzrock inquired if the manholes Mr. Hoover was referring to were the ones they had previously discussed abandoning. Mr. Hoover stated that they were. He stated that the council had budgeted for an update to lift station 1, but he would like to wait on pursuing that upgrade until they receive the final pricing for the video

log to ensure the budget could accommodate both.

-Mr. Hoover reported that Enberg-Miller would be holding a public meeting to go over the Master Water Plan that was commissioned by Wardwell. They will make their recommendations on the water system. That public meeting would take place on October 16<sup>th</sup> in the community room at the town hall. Mr. Hoover urged members of the council to attend that meeting.

-Mr. Hoover reported that the AMI system was up and collecting data, but we had not received the software or the training yet. He stated that he and the town clerk were diligently working with Ferguson and the billing software to finalize getting the system functioning.

11) **Office Staff Report:** A written report was submitted. Town Clerk, Kalista Schwarzrock, was present for questions or comments from the council.

-Mrs. Schwarzrock reported that the town was still waiting for replacement key fobs from Comtronix for the faulty batch that was received. She noted that they have had to turn a lot of residents away due to the lack of key fobs. Mayor Boyer inquired if there was a way to circumvent Comtronix to get more fobs sooner. Mrs. Schwarzrock stated that she had been informed by Comtronix that the fobs were programmed by them specifically for their system.

12) **Petitions & Public Comment:** Resident, Mike Schoolcraft inquired if the key fobs were being purchased through a reputable company. Mrs. Schwarzrock clarified that they were purchased through Comtronix, which is the company that installed the secure access system.

13) **Council Business:**

**A. Visionary Broadband:** Discussed earlier in the meeting.

**B. Dutchman Solar Farm:** Discussed earlier in the meeting.

**C. Facility Use for Organized Athletics:** The town clerk reported that the office had received requests from individuals wanting to use the gymnasium for practices for their teams. Since that had not been addressed in the original use plan and fee arrangements, she asked the council how she should proceed. Mayor Boyer stated that the gym hadn't been open long enough to have data on usage to determine if that would be a detriment to public use, which was the original intent. The council ultimately determined that they were not willing to extend gym use for organized athletics to avoid hindering resident access to the space until they had more data on the gymnasium's use.

**D. USPS Issues:** Mayor Boyer stated that there had been many complaints on Facebook regarding mail delivery errors, such as missing packages and mismatched keys. A resident had contacted him to request that he make a formal complaint to the postmaster as the Mayor of Bar Nunn. Mayor Boyer stated he was unsure if that would make the situation better or worse, so he inquired what the council's thoughts and suggestions were. Councilman Ficken stated he has spoken with the owner of our mail route who has been responsible for mail delivery in Bar Nunn for many years. He is fully aware of the issue, but had health complications that had made it difficult for him to be as involved with the delivery as he once was. He stated that he had three newer employees and expressed the challenges of training new employees to do this specific job because it requires concentration on every mail piece to ensure accuracy. He informed Councilman Ficken that the sorting has also been moved from Casper and is now being presorted in Denver and it is not being sorted properly.

**E. Wardwell Mill Levy:** Discussed earlier in the meeting.

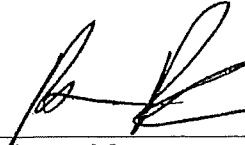
**F. Proposal for Palomino Lots:** The council received one proposal for the 10 lots on Palomino that the town owns. The proposal offered \$5,000 per lot, which was on the lower end of what was expected based on the market analysis provided by Jim Edgeworth. The council reserved accepting the proposal contingent upon review and further discussion.

**G. Council Miscellaneous**

Councilman Martin noted discussions he had participated in with residents who requested that a new light be installed as well as a new shelter at the bus stop on Nez Perce. Mr. Catellier stated that installing a new light may cause issues with residents whose backyard it may shine into. The council discussed various options, including a solar light inside the shelter or having Rocky Mountain Power install a new light pole. Mr. Hoover stated he would check with Atlantic Electric for a quote. Mayor Boyer

stated that he would like to look at all the options and try to find the best solution.

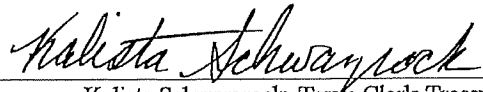
- 14) Adjournment: Moved by Steven Clark, seconded by Tyler Martin, and carried without dissent that there being no further business the meeting of October 1<sup>st</sup>, 2024, be adjourned at 8:37 p.m.



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Peter Boyer, Mayor

ATTEST: (seal)



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Kalista Schwarzrock, Town Clerk-Treasurer